

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 201 West Main Street, Fort Wayne, Indiana 46802 (E & K Realty, an Indiana General Partnership).

WHEREAS, Common Council has previously designated by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended and I. C. 6-1.1-12.1., to wit:

Subdivision One (1), Two (2), and Three (3), the same being the North Ninety (90) feet of Lot No. # Five Hundred Thirty-Eight (538) in Hanna's Addition to the town, now City of Fort Wayne, Indiana, as reocrded in Deed Record 31, page 409.

said property more commonly known as 201 West Main Street, Fort Wayne, Indiana 46802.

WHEREAS, said project will create unknown additional permanent jobs for a total additional annual payroll of unknown, with the average new annual job salary being unknown; and

WHEREAS, the total estimated project cost is \$240,000.00; and

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution;

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I. C. 5-3-1 and a public hearing has been conducted on said Resolution;

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

1           NOW, THEREFORE, BE IT RESOLVED BY THE COMMON  
2 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

3           SECTION 1.     That, the Resolution previously  
4 designating the above described property an "Economic  
5 Revitalization Area" is confirmed in all respects.

6           SECTION 2.     That, the hereinabove described  
7 property is hereby declared an "Economic Revitalization  
8 Area" pursuant to I.C. 6.1.1-12.1, said designation to begin  
9 on the effective date of this Resolution and continue for a  
10 one (1) year period. Said designation shall terminate at  
11 the end of that one (1) year period.

12          SECTION 3.     That, said designation of the  
13 hereinabove described property as an "Economic  
14 Revitalization Area" shall apply to both a deduction of the  
15 assessed value of real estate and personal property for new  
16 manufacturing equipment.

17          SECTION 4.     That the estimate of the number of  
18 individuals that will be employed or whose employment will  
19 be retained and the estimate of the annual salaries of those  
20 individuals and the estimate of the value of the  
21 redevelopment or rehabilitation, all contained in  
22 Petitioner's Statement of Benefits, are reasonable and are  
23 benefits that can be reasonably expected to result from the  
24 proposed described redevelopment.

25          SECTION 5.     The current year approximate tax rates  
26 for taxing units within the City would be:

27           (a) If the proposed development does not occur,  
28 the approximate current year tax rates for  
29 this site would be \$11.4948/\$100.


30           (b) If the proposed development does occur and no  
31 deduction is granted, the approximate current  
32 year tax rate for the site would be  
\$11.4948/\$100 (the change would be  
negligible).

(c) If the proposed development occurs, and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be \$11.4948/\$100 (the change would be negligible).

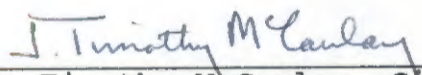
SECTION 6. Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten (10) years.

SECTION 7. The benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deduction.

SECTION 8. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

  
Councilmember

APPROVED AS TO FORM  
AND LEGALITY

  
J. Timothy McCauley, City Attorney

Read the first time in full and on motion by Nancy,  
seconded by \_\_\_\_\_, and duly adopted, read the second time by  
title and referred to the Committee on Finance (and the  
City Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Conference Room 128, City-County Building,  
Fort Wayne, Indiana, on Tuesday, the 13th, day  
of March, 1990, at 7:00 o'clock P.M., E.S.T.

DATED: 2-27-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Nancy,  
seconded by Nancy, and duly adopted, placed on its  
passage. ~~PASSED~~ LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____
<u>EDMONDS</u>	<u>✓</u>	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____
<u>LONG</u>	<u>✓</u>	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____

DATED: 3-13-90

Natasha Gaberff  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) \_\_\_\_\_ (APPROPRIATION) \_\_\_\_\_ (GENERAL)  
(SPECIAL) \_\_\_\_\_ (ZONING MAP) \_\_\_\_\_ ORDINANCE RESOLUTION NO. 9-07-90  
on the 13th day of March, 1990,

ATTEST  
Natasha Gaberff  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Charles S. Redd  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 14th day of March, 1990,  
at the hour of 11:30 o'clock A.M., E.S.T.

Natasha Gaberff  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 23rd day of March,  
1990, at the hour of 5:00 o'clock P.M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR

DIGEST SHEETTITLE OF ORDINANCE CONFIRMING RESOLUTIONQ-90-02-BDEPARTMENT REQUESTING ORDINANCE Department of Economic DevelopmentSYNOPSIS OF ORDINANCE Application for Confirming Resolution by E & K Realty.

Proposed project is to renovate the old Bushwackers night club at the corner of  
Harrison and Main Streets. The building will be converted into an office building  
with improvements costing \$240,000.00

EFFECT OF PASSAGE would mean improvement of a deteriorating downtown building and  
effective passage would also assist in enhancing the appearance of downtown Fort Wayne.

EFFECT OF NON-PASSAGE opposite of above.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)

ASSIGNED TO COMMITTEE (PRESIDENT) Tom Henry

BILL NO. R-90-02-18

REPORT OF THE COMMITTEE ON FINANCE

THOMAS C. HENRY, CHAIRMAN  
DONALD J. SCHMIDT, VICE CHAIRMAN  
BRADBURY, BURNS, GiaQUINTA

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN ~~(ORDINANCE)~~ (RESOLUTION) confirming the  
designation of an "Economic REvitalization Area" under I.C.  
6-1.1-12.1 for property commonly known as 201 West Main Street,  
Fort Wayne, Indiana 46802 (E & K Realty, an Indiana General  
Partnership)


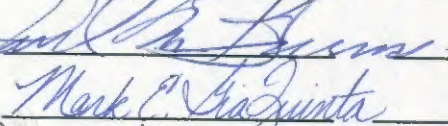
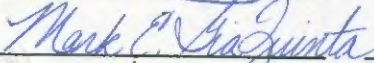
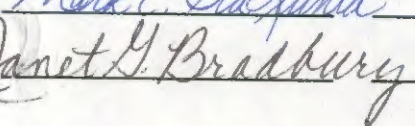
HAVE HAD SAID ~~(ORDINANCE)~~ (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(~~ORDINANCE~~) (RESOLUTION)

DO PASS

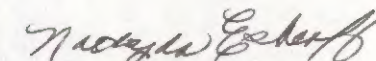
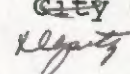
DO NOT PASS

ABSTAIN

NO REC

DATED: 3-13-90.

  
Sandra E. Kennedy  
City Clerk  


BILL NO. G-90-02-32 (AS AMENDED)

GENERAL ORDINANCE NO.

AN ORDINANCE OF THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA REGULATING  
TRANSIENT MERCHANTS.

WHEREAS, the City of Fort Wayne is in need of regulating  
transient merchants within the city limits.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. The following new Article is hereby added to  
Chapter Seven of the Municipal Code of the City of Fort  
Wayne, Indiana entitled "Business Regulations Generally":

ARTICLE III. TRANSIENT MERCHANTS.

Division I. In General.

Sec. 7-42. Definitions.

"Exhibition" means any public show or trade show organized to  
demonstrate and/or sell goods, wares or merchandise, which is  
open to the public.

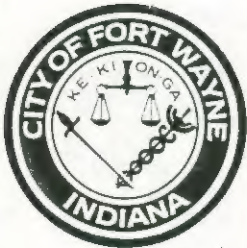
"Festival" means an event held for more than one (1) day with  
a special title and conducted in one (1) location or more,  
promoted to attract patrons from the City of Fort Wayne and  
surrounding communities, including but not limited to: Three  
Rivers Festival, Forte Festival, Black Expo Days, Germanfest,  
Greekfest, Muddy River Run, Johnny Appleseed Festival, Jazz  
Fest, and Run Jane Run.

"Flea Market" means a market indoors, or out of doors, in  
operation one hundred twenty (120) calendar days or less,  
where new or used items are sold from individual locations,  
with each location being operated independently from the  
other locations. Items sold include but are not limited to  
household items, antiques, rare items, decorations, used  
books and used magazines.

"Person" means any individual, firm, corporation or  
partnership.

"Transient merchant," when used in this Article, shall  
include all persons, both as principals and agents, who  
engage in, do or transact, any temporary or transient  
business in this city, for a period of one hundred twenty  
(120) calendar days or less, either in one locality or in  
traveling from place to place in this city, offering for sale  
or selling goods, wares or merchandise, and including those  
who, for the purpose of carrying on such business, hire,  
lease or occupy any permanent or mobile building, structure,  
real estate, or any other place, for the exhibition of means  
by samples, catalogues, photographs, and price lists or sale  
of such goods, wares or merchandise, but does not include:

- 1). A resident of the City in which the sale takes  
place who conducts a sale of tangible personal  
property for no more than six (6) calendar days;
- 2). An organization that is exempt from the Indiana  
Gross Retail Tax under I.C. 6-2.5-5-26 and/or is a  
not-for-profit organization, and presents upon  
demand, written proof of such exemption and/or  
status as a not-for-profit organization;



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

February 28, 1990

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of  
March 3, 1990, in both the News Sentinel and Journal  
Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. R-90-02-17 & R-90-02-28  
Economic Revitalization Area

Please send us 3 copies of the Publisher's Affidavit from  
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
Encl: 1

NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL

(RESOLUTIONS NO. R-90-02-17 AND R-90-02-18 )

Notice is hereby given that the Common Council of the City  
of Fort Wayne, Indiana, approved a Resolution on 2-27-90,  
date  
designating property at 201 West Main Street, Fort Wayne, Indiana  
46802 (E & K Realty, an Indiana General Partnership)

an Economic Revitalization Area. A description of the affected area  
can be inspected in the County Assessor's Office.

Common Council will conduct a public hearing on whether  
the above described resolution should be confirmed, modified and  
confirmed or rescinded on Tuesday, March 13, 1990, at 7:00 P.M.,  
date, time & place  
Common Council Conference Room 128, 1st Floor, City-County Building,  
One Main Street, Fort Wayne, Indiana

If confirmed, said designation shall continue for one (1) year after  
confirmation.

All interested persons are invited to attend and be heard  
at the public hearing.



Sandra E. Kennedy  
City Clerk

Fort Wayne Common Council

(Governmental Unit)

Allen

County, Indiana

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

4

Body -- number of lines

17

Tail -- number of lines

3

Total number of lines in notice

24

## COMPUTATION OF CHARGES

24 lines, 1 columns wide equals 24 equivalent lines  
at .33 cents per line

\$ 7.92

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 8.92

## DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: March 3, 19 90Title: Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time (s), the dates of publication being as follows:

3/3/90Subscribed and sworn to before me this 3rd day of March, 19 90

Shelley R. Larue  
Notary Public Whitley County, IN  
SHELLEY R. LARUE

My commission expires: March 3, 1994

## NOTICE OF PUBLIC HEARING

FORT WAYNE

COMMON COUNCIL

SOLUTIONS NO. R-90-02-17 AND R-90-02-18)  
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of Fort Wayne, Indiana, approved a Resolution on  
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year after confirmation.  
Interested persons are invited to attend and be  
d at the public hearing.

Sandra E. Kennedy  
City Clerk

Form 1 Prescribed by State Board of Accounts  
Fort Wayne, Common Council  
(Governmental Unit)  
Allen County, Indiana

To: The Journal-Gazette  
P.O. Box 100  
Fort Wayne, IN  
Dr.

PUBLISHER'S CLAIM

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Nicole Allred

Date: March 3, 19 90

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time(s), the dates of publication being as follows:

3/3/90

Nicole Allred

Subscribed and sworn to before me this 3rd day of March, 19 90

Notary Public Whitley County, IN  
SHELLEY R. LARUE

My commission expires: March 3, 1994

NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL  
RESOLUTIONS NO. R-90-02-17 AND R-90-02-18)  
Notice is hereby given that the Common Council of the  
City of Fort Wayne, Indiana, approved a Resolution on  
March 7, 1990, designating property at 201 West Main  
Street, Fort Wayne, Indiana 46802 (E & K Realty, an  
Indiana General Partnership) an Economic Revitaliza-  
tion Area. A description of the affected area can be  
inspected in the County Assessor's Office.  
The Common Council will conduct a public hearing on  
whether the above described resolution should be  
affirmed, modified and confirmed or rescinded on  
Wednesday, March 13, 1990, at 7:00 p.m., Common  
Council Conference Room 128, 1st Floor, City-County  
Building, One Main Street, Fort Wayne, Indiana.  
If confirmed, said designation shall continue for one  
year after confirmation.  
All interested persons are invited to attend and be  
heard at the public hearing.  
Sandra E. Kennedy  
City Clerk